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GRANT R. CLAYTON (Registration No. 32,462)

WESLEY M. LANG (Registration No. 51,919)

CLAYTON, HOWARTH & CANNON, P.C.

P.O. Box 1909

Sandy, Utah 84091-1909

Telephone: (801) 255-5335

Facsimile: (801) 255-5338

Attorneys for Opposer,
INGRAM MICRO INC.

Opposed Mark: IMICRO

U.S. Trade Mark Application Serial Number: 77/046,033

Published for Opposition: July 3, 2007

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

INGRAM MICRO INC., a Delaware
Corporation,

Opposer

v.

SUPER TALENT TECHNOLOGY, CORP., a
California Corporation,

Applicant.

NOTICE OF OPPOSITION

Opposition No. _____

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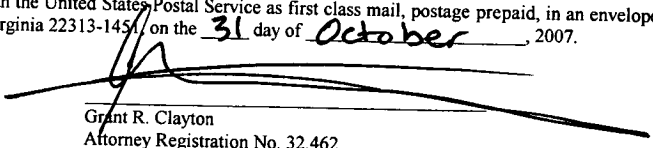
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NOTICE OF OPPOSITION

As grounds for opposing U.S. Trademark Application Serial No. 77/046,033 (Opposer has obtained an Extension of Time to October 31, 2007) in Classes 2 and 9, it is alleged that:

Certificate of Deposit Under 37 C.F.R. 2.197

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Commissioner for Trademarks, P.O. Box 1451, Alexandria, Virginia 22313-1451 on the 31 day of October, 2007.


Grant R. Clayton
Attorney Registration No. 32,462
Attorney for Applicant


11-05-2007

PARTIES

1. Opposer, Ingram Micro Inc. is a Delaware corporation having a business address of 1600 East St. Andrew Place, Santa Ana, California 92705 (hereinafter referred to as "Opposer" or "Ingram Micro").

2. Ingram Micro is the world's largest technology distributor and a leading technology sales, marketing and logistics company. Ingram Micro offers a broad array of information technology products and services to nearly 159,000 resellers by distributing and marketing hundreds of thousands of information technology products worldwide from nearly 1,300 suppliers. Ingram Micro serves 150 countries and is the only global information technology distributor with operations in Asia. Ingram Micro's information technology offerings include computer hardware, software, peripherals computer networking hardware, and a wide variety of services related thereto.

3. On information and belief, and according to the Trademark Electronic Search System ("TESS") maintained by the Trademark Office, Applicant is a California corporation with an address of 2077 N. Capitol Avenue, San Jose, California 95132 and is engaged in the business of supplying computer peripherals, wireless computer peripherals, computer networking hardware, computer cables, computer chassis, internal cooling fans for computers, computer monitors, computer mice, notebook computers, audio speakers, flash card readers, keyboards, computer power supply connectors and adaptors, digital input and output scanners, electric switches, power switches, ink jet cartridges and toner cartridges.

4. On November 16, 2006, Applicant filed an application to register the IMICRO mark in the United States Patent and Trademark Office under Section 1(b), which was assigned

Application Serial No. 77/046,033, asserting a bona fide intent to use the mark in International Classes 2 and 9 for computer peripherals, wireless computer peripherals, computer networking hardware, computer cables, computer chassis, internal cooling fans for computers, computer monitors, computer mice, notebook computers, audio speakers, flash card readers, keyboards, computer power supply connectors and adaptors, digital input and output scanners, electric switches, power switches, ink jet cartridges and toner cartridges. (A printout of Application Serial No. 77/046,033 from TESS is attached hereto as Exhibit A).

5. Ingram Micro currently owns, *inter alia*, the following registered trademarks: INGRAM MICRO, Registration No. 3,265,661; INGRAM MICRO VENTURE TECH NETWORK, Registration No. 3,151,571; and, INGRAM MICRO SMB ALLIANCE, Registration No. 3,151,572.

6. Ingram Micro also owns, *inter alia*, the following pending U.S. trademark applications: INGRAM MICRO SYSTEM ARCHITECHS, Serial No. 78/825,178; INGRAM MICRO DIGITAL HOME NETWORK, Serial No. 78/641,034; INGRAM MICRO CHANNEL ADVISOR, Serial No. 78/888,239; INGRAM MICRO GOVED ALLIANCE, Serial No. 78/321,300; INGRAM MICRO TECHNOLOGY MISSION, Serial No. 78/321,296; INGRAM MICRO SERVICE NETWORK, Serial No. 78/321,288; INGRAM MICRO SMB ALLIANCE, Serial No. 78/321,282; and, INGRAM MICRO VENTURE TECH NETWORK, and has common law trademark rights in and to the INGRAM MICRO mark and variations of the INGRAM MICRO mark.

7. Ingram Micro has been using the mark INGRAM MICRO and its variants on its information technology products and services since prior to Applicant's filing of its application.

8. Accordingly, Ingram Micro is the senior user of the INGRAM MICRO mark.
9. Ingram Micro believes it will be damaged by registration of the IMICRO mark shown in Application Serial No. 77/046,033 for use in connection with "computer peripherals, wireless computer peripherals, computer networking hardware, computer cables, computer chassis, internal cooling fans for computers, computer monitors, computer mice, notebook computers, audio speakers, flash card readers, keyboards, computer power supply connectors and adaptors, digital input and output scanners, electric switches, power switches, ink jet cartridges and toner cartridges" in International Classes 2 and 9, because Applicant's mark is confusingly similar to Ingram Micro's registered and common law marks.

**FIRST CLAIM FOR RELIEF
(Likelihood of Confusion)**

10. Ingram Micro repeats and incorporates by this reference each and every allegation contained in the previous paragraphs of this Notice of Opposition.
11. Applicant's mark IMICRO is confusingly similar to Opposer's INGRAM MICRO mark and variants of the INGRAM MICRO mark.
12. Ingram Micro has prior use of the mark INGRAM MICRO and its variants.
13. Applicant's IMICRO mark shown in Application Serial No. 77/046,033 so resembles a mark registered in the Patent and Trademark Office, or a mark or trade name previously used in the United States by Ingram Micro and not abandoned, as to be likely, when used on or in connection with the goods of Applicant, to cause confusion, or to cause mistake, or to deceive.
14. Applicant's application should therefore be denied under Section 2(d) of the Lanham Act.

PRAYER FOR RELIEF

WHEREFORE, Opposer, Ingram Micro Inc., prays that the registration sought by Applicant in U.S. Trademark Application Serial No. 77/046,033 be refused and that this Opposition be sustained in favor of Opposer.

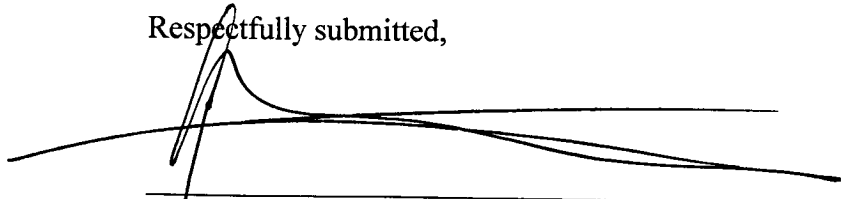
Enclosed is a completed Form PTO-2038 providing the fee necessary for filing this Opposition in two trademark classes. Any deficiency in the fee submitted can be charged to Deposit Account No. 50-0836.

All correspondence and telephonic communications should be directed to:

Grant R. Clayton
Wesley M. Lang
Attorney Docket No. T11433
CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

DATED this 31 day of October, 2007.

Respectfully submitted,



Grant R. Clayton
Wesley M. Lang
CLAYTON, HOWARTH & CANNON, P.C.
P.O. Box 1909
Sandy, Utah 84091-1909
Telephone: (801) 255-5335
Facsimile: (801) 255-5338
Attorneys for Opposer
Ingram Micro Inc.

EXHIBIT A

Exhibit A

Trademark/Service Mark Application, Principal Register

Serial Number: 77046033

Filing Date: 11/16/2006

The table below presents the data as entered.

SERIAL NUMBER		77046033
MARK INFORMATION		
*MARK	imicro	
STANDARD CHARACTERS	YES	
USPTO-GENERATED IMAGE	YES	
LITERAL ELEMENT	imicro	
MARK STATEMENT	The mark consists of standard characters, without claim to any particular font, style, size, or color.	
APPLICANT INFORMATION		
*OWNER OF MARK	Super Talent Technology, Corp.	
*STREET	2075 N. Capital Ave.	
*CITY	San Jose	
*STATE (Required for U.S. applicants)	California	
*COUNTRY	United States	
*ZIP/POSTAL CODE (Required for U.S. applicants only)	95132	
PHONE	408-941-8205	
LEGAL ENTITY INFORMATION		
*TYPE	CORPORATION	
*STATE/COUNTRY OF INCORPORATION	California	
GOODS AND/OR SERVICES SECTION		
INTERNATIONAL CLASS	009	
DESCRIPTION	Computer peripherals, wireless computer peripherals, computer networking hardware, computer cables, computer chassis, internal cooling fans for computers, computer monitors, computer mice, notebook computers, audio speakers, card readers, keyboards, power supply connectors and adaptors, digital input and output scanners, electric switches, power switches.	

FILING BASIS	SECTION 1(b)
GOODS AND/OR SERVICES SECTION	
INTERNATIONAL CLASS	002
DESCRIPTION	Ink jet cartridges (filled) and toner cartridges.
FILING BASIS	SECTION 1(b)
ATTORNEY INFORMATION	
NAME	Sonoo Otsu
ATTORNEY DOCKET NUMBER	2834-06
FIRM NAME	Pacific Law Group LLP
STREET	224 Airport Parkway, Suite 525
CITY	San Jose
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	95110
PHONE	408-573-8585
FAX	408-573-0108
OTHER APPOINTED ATTORNEY	Jia Ann Yang, Mitchell Wong, Hong-Jin Guan
CORRESPONDENCE INFORMATION	
NAME	Sonoo Otsu
FIRM NAME	Pacific Law Group LLP
STREET	224 Airport Parkway, Suite 525
CITY	San Jose
STATE	California
COUNTRY	United States
ZIP/POSTAL CODE	95110
PHONE	408-573-8585
FAX	408-573-0108
FEE INFORMATION	
NUMBER OF CLASSES	2
FEE PER CLASS	325
TOTAL FEE DUE	650
SIGNATURE INFORMATION	

SIGNATURE	/AMA123/
SIGNATORY'S NAME	Abraham Ma
SIGNATORY'S POSITION	President
DATE SIGNED	11/16/2006
FILING INFORMATION SECTION	
SUBMIT DATE	Thu Nov 16 18:19:40 EST 2006
TEAS STAMP	USPTO/BAS-67.123.169.82-2 0061116181940557618-77046 033-350b45d7c2c75464b8ac2 e3dbeb7b2925c2-DA-836-200 61114174819956023

Trademark/Service Mark Application, Principal Register

Serial Number: 77046033

Filing Date: 11/16/2006

To the Commissioner for Trademarks:

MARK: imicro (Standard Characters, see mark)

The literal element of the mark consists of imicro. The mark consists of standard characters, without claim to any particular font, style, size, or color.

The applicant, Super Talent Technology, Corp., a corporation of California, having an address of 2075 N. Capital Ave., San Jose, California, United States, 95132, requests registration of the trademark/service mark identified above in the United States Patent and Trademark Office on the Principal Register established by the Act of July 5, 1946 (15 U.S.C. Section 1051 et seq.), as amended.

International Class 009: Computer peripherals, wireless computer peripherals, computer networking hardware, computer cables, computer chassis, internal cooling fans for computers, computer monitors, computer mice, notebook computers, audio speakers, card readers, keyboards, power supply connectors and adaptors, digital input and output scanners, electric switches, power switches.

Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

International Class 002: Ink jet cartridges (filled) and toner cartridges.
Intent to Use: The applicant has a bona fide intention to use or use through the applicant's related company or licensee the mark in commerce on or in connection with the identified goods and/or services. (15 U.S.C. Section 1051(b)).

The applicant hereby appoints Sonoo Otsu and Jia Ann Yang, Mitchell Wong, Hong-Jin Guan of Pacific Law Group LLP, 224 Airport Parkway, Suite 525, San Jose, California, United States, 95110 to submit this application on behalf of the applicant. The attorney docket/reference number is 2834-06.

Correspondence Information:

Sonoo Otsu
224 Airport Parkway, Suite 525
San Jose, California 95110
408-573-8585(phone)
408-573-0108(fax)

A fee payment in the amount of \$650 will be submitted with the application, representing payment for 2 class(es).

Declaration

The undersigned, being hereby warned that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. Section 1001, and that such willful false statements, and the like, may jeopardize the validity of the application or any resulting registration, declares that he/she is properly authorized to execute this application on behalf of the applicant; he/she believes the applicant to be the owner of the trademark/service mark sought to be registered, or, if the application is being filed under 15 U.S.C. Section 1051(b), he/she believes applicant to be

entitled to use such mark in commerce; to the best of his/her knowledge and belief no other person, firm, corporation, or association has the right to use the mark in commerce, either in the identical form thereof or in such near resemblance thereto as to be likely, when used on or in connection with the goods/services of such other person, to cause confusion, or to cause mistake, or to deceive; and that all statements made of his/her own knowledge are true; and that all statements made on information and belief are believed to be true.

Signature: /AMA123/ Date Signed: 11/16/2006

Signatory's Name: Abraham Ma

Signatory's Position: President

RAM Sale Number: 836

RAM Accounting Date: 11/17/2006

Serial Number: 77046033

Internet Transmission Date: Thu Nov 16 18:19:40 EST 2006

TEAS Stamp: USPTO/BAS-67.123.169.82-2006111618194055

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